

FILED

UNITED STATES COURT OF APPEALS

DEC 19 2013

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MATTHEW F. GALLAGHER; MELISSA
A. GALLAGHER,

Plaintiffs - Appellants,

v.

US BANCORP, As Trustee Successor in
Interest to Bank of America, National
Association, As Trustee (Successor by
Merger to LaSalle Bank National
Association) As Trustee for Thornburg
Mortgage Securities Trust 2006-4, DBA
US Bank National Association; et al.,

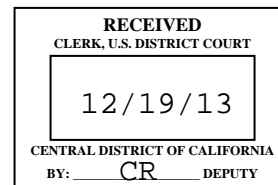
Defendants - Appellees.

No. 13-55844

D.C. No. 2:12-cv-06145-MWF-
PJW

Central District of California,
Los Angeles

ORDER



Before: REINHARDT and BEA, Circuit Judges.

Appellants' motion to stay or enjoin non-judicial foreclosure pending appeal is granted. *See Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1134-35 (9th Cir. 2011). Appellees and their agents are enjoined from foreclosing on the real property at issue in this appeal pending further order of this court.

This order is without prejudice to appellees filing a motion to lift this injunction following completion of briefing.

The opening brief is now due January 28, 2014; the answering brief is due February 27, 2014; and the optional reply brief is due within 14 days after service of the answering brief.

In addition to any other issues that the parties shall address in their briefs, the parties shall address whether the district court adequately addressed the factual allegations regarding the allegedly “false and fraudulent origination” of the mortgage and promissory note.